

Applicant: Wieth, et al.  
Application No.: 10/019,143

## REMARKS

Claims 1 – 17 are pending in the application. The Abstract as well as claims 1 – 10, 12 – 14 and 17 have been amended by the present response to improve readability and to more clearly point out what Applicants believe to be the claimed invention. Support for the claim amendments is apparent and may be found in the specification. No new matter has been introduced into the application by these amendments.

In the Action, the Abstract was objected to for the use of the term "means." Applicants have deleted the term means from the abstract. Reconsideration and removal of the objection are therefore respectfully requested.

In the Action, the drawings were objected to as failing to comply with 37 CFR 1.83(a) because all boxes in Fig. 1 – Fig. 2 need to have a descriptive label. Applicants traverse this objection since the drawings contain no boxes requiring descriptive labels such as the boxes in a block diagram. The drawings are representative line drawings of actual structures, such as shopping carts, collection points and recognition system components. Accordingly, reconsideration and withdrawal of the objection are requested.

In the Action, claims 1 - 17 were rejected under 37 C.F.R. §103(a) as unpatentable over U.S. Patent No. 6,486,786 (French) in view of U.S. Patent No.

5,402,106 (DiPaolo), in further view of U.S. Patent No. 3,882,982 (Smith). In view of the present amendment, Applicants respectfully traverse this rejection.

French teaches a cart return system that is linked to a frequent shopper-type reward program. French discloses a cart corral that is equipped with conductive loop sensors that detect the relative position of shopping carts entering and exiting the corral. A customer card reader is located on one of the corral posts. The card reader is in communication with the store computer and will issue a credit to the customer account when carts are returned and the customer's frequent shopper card is read.

DiPaolo teaches a shopping cart security system adapted to prevent theft of a shopping cart from a parking lot. DiPaolo discloses a triggering means (magnet) that is mounted on the shopping cart and a sensor that is buried below the surface of the lot. If a cart is taken across the sensor an alarm is sounded and a video camera connected to a monitor is activated.

Smith teaches an apparatus for encouraging the return of shopping carts to a store. The apparatus detects movement of shopping carts through a location on a passageway. The movement is detected by a photocell that receives light from a reflective indicia affixed to the shopping cart. When a cart passes through the passageway, the photocell receives light reflected by the reflective indicia and activates a dispenser that provides a gaming piece to the person returning the cart.

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In view of the present amendment, Applicants believe the § 103 rejection is moot. The present invention claims a system that detects and rewards the return of shopping carts in a stacked row at collection points of a shopping center. The system of the present invention only issues a reward or bonus when a shopping cart has been returned to a stacked row within a prescribed tolerance. The system of French does not require that the carts be returned to a stacked row. In fact a user is simply required to push a cart past a sensor at the entry of a cart corral in order for the cart to be detected and a reward to be issued. As a result, the entry of the corral is quickly blocked by carts that have been simply pushed past the sensor and left near the entry. There is no motivation for a user of the system taught by French to return the cart in a stacked row since the reward is issued once the cart enters the corral. The system of the present invention, however, does not issue a reward or bonus until the cart is returned to a stacked row within the prescribed tolerance and is detected by light deflected from the cart in front of it.

The prior art of record fails to suggest Applicants' system rewarding the return of a shopping cart to a stacked row. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the Section 103 rejections.

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If for any reason the Examiner believes that an interview, either telephonically or in person, would assist in the prosecution of the application, the Examiner is invited to call the Applicants' attorney at the Examiner's convenience.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application, including claims 1 - 17, is in condition for allowance, and a Notice to that effect is respectfully solicited.

Respectfully submitted,

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Enclosures